

Department of Veterans Affairs
Equal Employment Opportunity data Posted Pursuant to the No FEAR Act:
Internal Complaint Activity
Veterans Benefits Administration

29 CFR §1614.704(a) - (c)	29 CFR §1614.705 Comparative Data					2012
Complaint Activity	Previous Fiscal Year Data					
	2007	2008	2009	2010	2011	
Number of Complaints Filed in FY 1614.704(a)	117	145	143	146	181	44
Number of Complainants 1614.704(b)	106	132	136	138	167	44
Repeat Filers 1614.704(c)	8	16	8	10	16	0

29 CFR §1614.704(d)	29 CFR §1614.705 Comparative Data					2012
Complaints by Basis	Previous Fiscal Year Data					
	2007	2008	2009	2010	2011	
Race	75	82	215	117	71	15
Color	1	12	15	15	7	1
Religion	2	4	7	12	5	0
Reprisal	90	91	126	109	53	11
Sex	57	68	139	73	57	10
National Origin	8	4	4	1	9	2
Equal Pay Act		0	0	0	0	0
Age	84	54	136	106	61	12
Disability	93	71	137	137	75	21
Other	2	0	0	0	0	0
Non-EEO						

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29 CFR §1614.704(e)	29 CFR §1614.705 Comparative Data					2012
Complaints by Issue	Previous Fiscal Year Data					
	2007	2008	2009	2010	2011	
Appointment/Hire	10	6	7	2	6	1
Assignment of Duties	6	8	6	6	10	0
Awards	4	4	2	2	5	0
Conversion to Full-time	0	0	0	0	0	0
Disciplinary Action	27	23	31	21	30	5
Demotion	0	0	2	2	3	0
Reprimand	3	2	3	4	8	0
Suspension	6	6	5	4	5	1
Removal	6	5	7	2	5	1
Other	12	10	14	9	9	3
Duty Hours	0	2	2	1	0	1
Evaluation Appraisal	9	4	8	5	8	1
Examination/Test	0	0	0	1	0	0
Harassment	93	45	157	100	83	22
Non-Sexual	90	39	144	98	78	19
Sexual	3	6	13	2	5	3
Medical Examination	0	0	0	1	0	0
Pay (Including Overtime)	3	1	0	4	2	1
Promotion/Non-Selection	50	65	41	31	45	11
Reassignment	2	3	6	3	2	1
Denied						
Directed						
Reasonable Accommodation	13	15	12	12	29	4
Reinstatement	1	0	0	0	0	0
Retirement	3	1	2	4	2	1
Termination	25	14	21	29	21	7
Terms/Conditions of Employment	2	1	0	3	1	1
Time and Attendance	5	9	15	6	11	3
Training	2	4	5	8	6	3
Other	27	33	31	37	29	4

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Processing Time "...post the average length of time it takes to complete each step of the process for every complaint that is pending during any time of the then fiscal year..."		29 CFR §1614.704(f)										Num.	Ave. Days
		Previous Fiscal Year Data											
		Num.	Ave. Days	Num.	Ave. Days	Num.	Ave. Days	Num.	Ave.D ays	Num.	Ave.D ays	20112	
		2007		2008		2009		2010		2011			
All complaints pending in Investigative Stage	1614.704	25	145	36	127	27	103	45	107.2	42	111.1	42	111.6
All complaints pending in Final Agency Action Stage	(f) (1)	16	468	12	294	16	444	14	631.2	26	555.4	32	528.5
All complaints pending in which Hearing was not requested	1614.704												
	(f) (2)	18	256	31	231	16	444	13	539.5	23	496.2	27	453.3
Time in Investigation Stage		18	189	31	172	16	171	13	180.3	23	182.0	27	179.5
Time to issue Final Agency Action		18	67	31	59	30	82	27	114*	26	*122	6	147*
All complaints pending in which a Hearing was requested	1614.704												
	(f) (3)	18	245	14	193	93	553	92	599.0	103	560.8	111	559.4
Time in Investigation Stage		18	229	14	183	93	185	92	177.1	103	183.7	111	181.8
Time to issue Final Agency Action		18	16	14	10	17	13	15	18	27	11	2	21
* This figure includes the average delay getting the file to Department's adjudication office (OEDCA) in VA's Central Office of 4 days; said delay computed from start of Final Action Stage [see Sec. 1614.702(g)] to receipt of investigative file in OEDCA. Actual processing time in OEDCA was 143 days.													

29 CFR §1614.704(g)	29 CFR §1614.705 Comparative Data					2012
Complaints Dismissed by Agency Pursuant to 1614.107(a)	Previous Fiscal Year Data					
	2007	2008	2009	2010	2011	
Total Complaints Dismissed by Agency	25	19	33	21	37	4
Average days pending prior to dismissal	41.76	40.68	50.6	46.4	51.1	30.8

29 CFR §1614.704(h)	29 CFR §1614.705 Comparative Data					2012
Complaints Withdrawn by Complainants (h)	Previous Fiscal Year Data					
	2007	2008	2009	2010	2011	
Total Complaints Withdrawn by Complainants	13	12	15	10	18	3

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29 CFR §1614.704(i)	29 CFR §1614.705 Comparative Data										2012	
Total Final Agency Actions Finding Discrimination	Previous Fiscal Year Data											
	2007		2008		2009		2010		2011			
	#	%	#	%	#	%	#	%	#	%		
Total Number Findings 704(i)(1)	1		2		3	100%	2	100%	1	100%	1	100%
Without Hearing 704(i)(2)	0	0%	1	50%	1	33%	0	0%	0	0%	0	0%
With Hearing 704(i)(3)	1	100%	1	50%	2	67%	2	100%	1	100%	1	100%

29 CFR §1614.704(j)	29 CFR §1614.705 Comparative Data										2012	
Findings of Discrimination Rendered by Basis	Previous Fiscal Year Data											
	2007		2008		2009		2010		2011			
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings 704(j)(1)	1		2	100%	3	100%	2	100%	1	100%		
Race	1	100%			1	33%	0	0%				
Color							0	0%				
Religion							0	0%				
Reprisal	1	100%	1	50%			1	50%				
Sex							0	0%	1	100%		
National Origin							0	0%				
Equal Pay Act							0	0%				
Age					2	67%	1	50%				
Disability			1	50%	1	33%	0	0%			1	100%
Non EEO							0	0%				

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29 CFR §1614.704(k)	29 CFR §1614.705 Comparative Data										2012	
Findings of Discrimination Rendered by Issue	Previous Fiscal Year Data											
	2007		2008		2009		2010		2011			
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings 704(k)(1)	1		2		3	100%	2	100%	1	100%	1	100%
Appointment/Hire												
Assignment of Duties												
Awards												
Conversion to Full-time												
Disciplinary Action												
Demotion												
Reprimand												
Suspension												
Removal												
Other												
Duty Hours												
Evaluation Appraisal			1	50%								
Examination/Test												
Harassment												
Non-Sexual												
Sexual												
Medical Examination												
Pay (Including Overtime)												
Promotion/Non-Selection	1	100%			2	67%	1	50%	1	100%		
Reassignment												
Denied												
Directed												
Reasonable Accommodation			1	50%	1	33%					1	100%
Reinstatement												
Retirement												
Termination			1	50%								
Terms/Conditions of Employment												
Time and Attendance												
Training												
Other							1	50%				

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29 CFR §1614.704(k)	29 CFR §1614.705 Comparative Data										2012	
Findings of Discrimination Rendered by Issue	Previous Fiscal Year Data											
	2007		2008		2009		2010		2011			
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings 704(k)(1)	1		2	100%	3		2	100%	1	100%	1	100%
Findings After Hearing 704(k)(3)	1	100%	1	50%	2	67%	2	100%	1	100%	1	100%
Appointment/Hire												
Assignment of Duties												
Awards												
Conversion to Full-time												
Disciplinary Action												
Demotion												
Reprimand												
Suspension												
Removal												
Other												
Duty Hours												
Evaluation Appraisal			1	100%								
Examination/Test												
Harassment												
Non-Sexual												
Sexual												
Medical Examination												
Pay (Including Overtime)												
Promotion/Non-Selection	1	100%			2	100%	1	100%	1	100%		
Reassignment												
Denied												
Directed												
Reasonable Accommodation											1	100%
Reinstatement												
Retirement												
Termination			1	100%								
Terms/Conditions of Employment												
Time and Attendance												
Training												
Other							1	100%				

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29 CFR §1614.704(I)	29 CFR §1614.705 Comparative Data					2012
Complaints Pending From Previous Fiscal Years by Status	Previous Fiscal Year Data					
	2007	2008	2009	2010	2011	
Total complaints from previous Fiscal Years 704(I)(1)	43	39	68	74	88	184
Total Complainants 704(I)(2)	42	35	58	70	79	165
Number complaints pending: 704(I)(3)						
Investigation	3	0	0	0	0	18
ROI issued, pending Complainant's action	1	0	2	0	1	16
Hearing	31	36	57	62	67	111
Final Agency Action	8	6	8	9	14	32
Appeal with EEOC Office of Federal Operations	NA*	NA	1	3	6	7
*Do not track						

29 CFR §1614.704(m)	29 CFR §1614.705 Comparative Data					2012
Complaint Investigations	Previous Fiscal Year Data					
	2007	2008	2009	2010	2011	
Number Pending Completion of Investigation	25	36	27	45	42	42
Pending Investigations Over Required Time Frames	6	5	4	1	0	2